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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/800,766

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Andrew Hanson

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3902

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7590

01/28/2005

SENNIGER POWERS LEAVITT AND ROEDEL
ONE METROPOLITAN SQUARE
16TH FLOOR
ST LOUIS, MO 63102

EXAMINER

DINH, KHANH Q

ART UNIT

PAPER NUMBER

2151

DATE MAILED: 01/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/800,766	HANSON ET AL.	
	Examiner	Art Unit	
	Khanh Dinh	2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is in response to the Remarks filed on 11/17/2004. Claims 1-29 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 3-16 and 18-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Bailey et al (hereafter Bailey), U.S. Pat. No.6,785,671.

As to claim 1, Bailey discloses a method comprising:

receiving a locator of a network resource (product information) [i.e., users' requests for product information through a web server, see fig.1, col.4 lines 29-48].

determining if a database (databases 141-147 fig.1) already contains stored information derived from the network resource at a previous point in time [using query server (140 fig.1) to find matching items in response to the search with a hypertext link

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to web pages], effectively freezing the network resource to the previous point in time [implementing a web crawler (160 fig.1) that crawls web sites on the Internet while storing copies of located web pages, see col.5 line 46 to col.6 line 14 and col.7 lines 21-26].

upon determination that the database (databases 141-147 fig.1) does not contain stored information derived from the network resource at the previous point in time (if the search fails to find a single matching item), storing information derived from the network resource pointed to by the locator of the network resource (using spell checker to find misspellings in the query terms in the web server), the process of storing comprising a step of creating a copy (a new query) of at least a portion of the network resource (creating a new term with a modified query and resubmit the new query to the server) pointed to by the locator, and writing the copy to the database (databases 141-147 fig.1) (see col.7 lines 27-63, col.8 lines 4-54 and *col.13 lines 25-30*).

As to claim 3, Bailey discloses generating meta information from the copy (notifying the modification made to the query to the query server, see col.7 lines 35-63 and col.10 lines 16-59).

As to claim 4, Bailey discloses that the generating meta information involves extracting information from the network resource (generating a search results from databases, see fig.3, col.7 line 52 to col.8 line 48).

As to claim 5, Bailey discloses that the generating meta information involves deriving information from the network resource (displaying result items associated with the web site and the databases in response to the query, see fig.3, col.8 lines 4-54 and col.9 lines 5-37).

As to claim 6, Bailey discloses that the meta information comprises one or more of a file name, a uniform resource locator (URL), a file format, and a language (displaying URL associated with the search result, see fig.4, col.10 lines 16-59 and col.11 lines 13-51).

As to claim 7, Bailey discloses that the storing the information further comprises writing the generated meta information to the database (Product Spider database 147 of fig.1) (storing rating information to the Product Spider database, see col.10 lines 11-60).

As to claim 8, Bailey discloses receiving instructions to modify the generated meta information and modifying the generated meta information in accordance with the received instructions to generate modified meta information (notifying user of the absence of the exact matches and also informing the close match results, see col.7 line 42 to col.8 line 48).

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As to claim 9, Bailey discloses that storing the information further comprises writing the modified meta information to the database (applying the query to the databases corresponding to the search scope by the user, see col.7 lines 42-63 and col.8 lines 4-54).

As to claim 10, Bailey discloses that the storing the information further comprises modifying references to objects within the information to reflect the new location of referenced objects (displaying a search results page of the Amazon web site including hypertext links with corresponding access categories) as being stored in the database (see fig.3, col.7 line 64 to col.8 line 54 and col.10 lines 16-59).

As to claim 11, Bailey discloses sending the copied information to a generic user agent (162 fig.1) [sending information within the web page to the product score generator (162 fig.1), see fig.1, col.6 lines 3-64).

As to claim 12, Bailey discloses that the network resource comprises one or more world wide web pages (collection of web page as a search's result, see col.6 lines 3-64 and col.8 lines 4-49).

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As to claim 13, Bailey discloses the one or more world wide web pages comprises a main frame (220 fig.2) and one or more sub-frames (210 fig.2) (see fig.2, col.6 line 65 to col.7 line 63).

As to claim 14, Bailey discloses the main frame and one or more sub-frames are stored as a single file (see figs. 3, 4, col.8 lines 4-48 and col.10 lines 16-59).

As to claim 15, Bailey discloses an apparatus comprising:

a storage medium having stored therein a plurality of programming instructions designed to:

receive a locator of a network resource (product information) [i.e., users' requests for product information through a web server, see fig.1, col.4 lines 29-48].

determine if a database (databases 141-147 fig.1) already contains stored information derived from the network resource at a previous point in time [using query server (140 fig.1) to find matching items in response to the search with a hypertext link to web pages], effectively freezing the network resource to the previous point in time [implementing a web crawler (160 fig.1) that crawls web sites on the Internet while storing copies of located web pages, see col.5 line 46 to col.6 line 14 and col.7 lines 21-26].

upon determination that the database (databases 141-147 fig.1) does not contain stored information derived from the network resource at the previous point in time (if the search fails to find a single matching item), storing information derived from

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the network resource pointed to by the locator of the network resource (using spell checker to find misspellings in the query terms in the web server), the process of storing comprising a step of creating a copy (a new query) of at least a portion of the network resource (creating a new term with a modified query and resubmit the new query to the server) pointed to by the locator, and writing the copy to the database (databases 141-147 fig.1) and a processor (140 fig.1) coupled to the storage medium to execute the programming instructions (see col.7 lines 27-63, col.8 lines 4-54 see *col.13 lines 25-30*).

As to claim 16, Bailey discloses the database (141-146 fig.1) resides on a separate machine from the processor (140 fig.1) (see fig.1, col.5 lines 3-44).

As to claim 18, Bailey discloses that the generating meta information involves deriving information from the network resource (displaying result items associated with the web site and the databases in response to the query, see fig.3, col.8 lines 4-54 and col.9 lines 5-37).

As to claim 19, Bailey discloses that the generating meta information involves extracting information from the network resource (generating a search results from databases, see fig.3, col.7 line 52 to col.8 line 48).

As to claim 20, Bailey discloses that the generating meta information involves

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deriving information from the network resource (displaying result items associated with the web site and the databases in response to the query, see fig.3, col.8 lines 4-54 and col.9 lines 5-37).

As to claim 21, Bailey discloses that the meta information comprises one or more of a file name, a uniform resource locator (URL), a file format, and a language (displaying URL associated with the search result, see fig.4, col.10 lines 16-59 and col.11 lines 13-51).

As to claim 22, Bailey discloses that the storing the information further comprises writing the generated meta information to the database (Product Spider database 147 of fig.1) (storing rating information to the Product Spider database, see col.10 lines 11-60).

As to claim 23, Bailey discloses receiving instructions to modify the generated meta information and modifying the generated meta information in accordance with the received instructions to generate modified meta information (notifying user of the absence of the exact matches and also informing the close match results, see col.7 line 42 to col.8 line 48).

As to claim 24, Bailey discloses that storing the information further comprises writing the modified meta information to the database (applying the query to the databases

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corresponding to the search scope by the user, see col.7 lines 42-63 and col.8 lines 4-54).

As to claim 25, Bailey discloses that the storing the information further comprises modifying references to objects within the information to reflect the new location of referenced objects (displaying a search results page of the Amazon web site including hypertext links with corresponding access categories) as being stored in the database (see fig.3, col.7 line 64 to col.8 line 54 and col.10 lines 16-59).

As to claim 26, Bailey discloses sending the copied information to a generic user agent (162 fig.1) [sending information within the web page to the product score generator (162 fig.1), see fig.1, col.6 lines 3-64).

As to claim 27, Bailey discloses that the network resource comprises one or more world wide web pages (collection of web page as a search's results, see col.6 lines 3-64 and col.8 lines 4-49).

As to claim 28, Bailey discloses the one or more world wide web pages comprises a main frame (220 fig.2) and one or more sub-frames (210 fig.2) (see fig.2, col.6 line 65 to col.7 line 63).

As to claim 29, Bailey discloses the main frame and one or more sub-frames are stored as a single file (see figs. 3, 4, col.8 lines 4-48 and col.10 lines 16-59).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 2 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bailey in view of Hoffert et al. (hereafter Hoffert), U.S. pat. No.6,370,543.

As to claim 2, Bailey's teaching still applied as in item 5 above. Bailey suggests using a modified search and additional matches section to facilitate viewing the results (see col.2 lines 24-44 and col.9 lines 11-46). Bailey does not specifically disclose compressing the copy prior to writing the copy. However, Hoffert discloses

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compressing the copy prior to writing the copy (providing a compression algorithm to the reconstructed pictures/media data in returning search results from a user/s multimedia query to a database, see col.22 line 30 to col.23 line 45). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Hoffert into the computer system of Bailey to provide information to users because it would have produced a low bandwidth image preview and thus allowed users to rapidly scan a page of visual reach results to find their desired information (see Hoffert's col.22 lines 45-61 and col.24 lines 1-11).

As to claim 17, Bailey's teaching still applied as in item 5 above. Bailey suggests using a modified search and additional matches section to facilitate viewing the results (see col.2 lines 24-44 and col.9 lines 11-46). Bailey does not specifically disclose compressing the copy prior to writing the copy. However, Hoffert discloses compressing the copy prior to writing the copy (providing a compression algorithm to the reconstructed pictures/media data in returning search results from a user/s multimedia query to a database, see col.22 line 30 to col.23 line 45). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Hoffert into the computer system of Bailey to provide information to users because it would have produced a low bandwidth image preview and thus allowed users to rapidly scan a page of visual reach results to find their desired information (see Hoffert's col.22 lines 45-61 and col.24 lines 1-11).

Response to Arguments

6. Applicant's arguments filed on 11/17/2004 have been fully considered but they are not persuasive.

* Applicant asserts that the Bailey reference does not disclose receiving a locator of a network resource, creating a copy at least a portion of the network resource and writing the copy to the database, handling duplicated web pages or information already stored in a database and freezing the network resource to the previous point in time.

Examiner respectfully disagrees. In fig.1, Baily discloses "receiving a locator of a network resource" by disclosing users making requests/quires and receiving from the Web server which stored the network resources (users transactions, query submissions, multimedia products) (see fig.1, col.4 lines 18-58). In response to the Applicant's argument that Bailey does not teach that "freezing the network resource at a previous point in time". Examiner analyzed the limitation of the claim's language can be broadly interpreted as the functions of saving a web page at a point in time said to be resulted in freezing or preserving the network resources. The claim merely requires copying a web page into the database if it is determined that the page has not been previously stored. Bailey teaches locating and storing network resources (web page or the internet page) when he creates a spider database (147 fig.1) and further using a Web Crawler (160 fig.1) to crawl web sites on the Internet while storing copies of located web pages at a previous point in time (past time) (see col.5 line 46 to col.6 line 14 and col.13 lines 1-30). Furthermore, Bailey also teaches updating the Spider database (147

fig. 1) at later time. The update operation would remove or delete old version of the stored web pages OR duplication web pages (see col. 13 lines 25-30).

Therefore, the claim is properly rejected.

Claim 15 is rejected under the same rationale set forth above to claim 1. Claims 2-14 and 16-29 are dependent on claims 1 and 15 respectively. Therefore, they are rejected at least for the same reasons set forth above to claims 1 and 15 or for other reasons set forth in the previous office action mailed on 9/9/2004. With all above given reasons, the rejections for claims 1-29 are respectfully maintained.

Conclusion

7. Claims 1-29 are rejected.

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (703) 308-8528. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung, can be reached on (703) 308-6687. The fax phone number for this group is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PMR or Public PMR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Khanh Dinh
Patent Examiner
Art Unit 2151
1/25/2005


ZARNI MAUNG
SUPERVISORY PATENT EXAMINER